



FEDERAL COURT OF AUSTRALIA

6624531 - Mr Rohan Muscat for National Registrar

NAME

Mr Rohan Muscat

EMAIL

PHONE

ADDRESS

Responses

Question / Answer

Are you an Australian Citizen? (If your answer is no, please provide the date you applied for citizenship or provide evidence of your eligibility to work in Australia)

Yes

Have you taken a redundancy benefit from an APS agency in the last 12 months? (If your answer is yes, please provide the date of when your redundancy payments will cease)

No

Are you a current ongoing employee in the APS? (If your answer is yes, please provide the agency you work for and what your ongoing classification is)

Yes - Federal Court of Australia, Senior Legal Case Manager.

Please list contact details of two referees (One should be your current supervisor).

David Pringle (Deputy Principal Judicial Registrar) Current Supervisor T: (03)

E: Dr Rosemary Howell (Professorial Fellow UNSW)

University Lecturer and Dispute Resolution Coach M:

E:

Where did you first hear about this role?

Deputy Principal Judicial Registrar Pringle

**Please enter a comprehensive statement of claims against the selection criteria. We recommend you do this in a word document first, and then cut and paste into the boxes below.

Experience in litigation and case management in superior courts of Australia.**

In my role as Legal Case Manager at the Federal Court of Australia, I was responsible for coordinating the management of the registrars' docket. This involved preparing detailed briefing notes and case summaries on contested insolvency applications, briefing the registrar on the status of each matter and the issues likely to arise in court, attending upon the registrars' queries during court and ensuring the smooth operation of the courtroom. My case management experience extended to liaising with practitioners and self-represented litigants when I was responsible for ensuring compliance with timetabling orders and updates that the parties were in contact with one another. From my preparation and diligence, the courtroom operated smoothly and the registrars were equipped with the knowledge necessary to ask the requisite questions of the parties and make the appropriate orders. As a result of my hard work, I was delegated responsibility over the set aside bankruptcy and objection to subpoena list, and became the first point of contact for all pro bono referrals from the Federal Court and Federal Circuit Court. I also was given responsibility for the complex discovery proceedings in the Motorola matter, when I helped coordinate the management of proceedings through written correspondence with the parties and reviewing the Reasons for Decision of Deputy Principal Judicial Registrar Pringle.

Demonstrated knowledge of the Federal Court's jurisdiction, practices and procedures, or the ability to acquire such knowledge quickly and the ability to interpret and apply rules and regulations.

It was my Paralegal role at Gayle Meredith & Associates where I first acquired a heightened understanding of the Federal Court's jurisdiction and procedure, albeit in family law. I was tasked with preparing legal briefs and pleadings, chronologies, initiating applications and applications for divorce, as well as filing all documents on behalf of the client both in court and on the Court's e-filing system. I assisted the partner prepare submissions for trial by researching case law and interpreting the Family Law Rules 2004 (Cth) and Federal Circuit Court Rules 2001 (Cth), then applied my findings to the circumstances of each case in order to determine possible courses of action. The scope of my paralegal duties enabled the partner to meet the requisite court deadlines and ensured the firm, as a whole, complied with the Federal Court's practices and procedures. Within three weeks of starting as a Legal Case Manager in the Federal Court, I became responsible for running the Monday and Thursday bankruptcy lists, assisting practitioners and self-represented litigants understand and comply the Federal Court's practice and procedure and responding to written enquiries from parties with respect to the same. My ability to quickly understand and implement the Court's practices was recognised by my superiors as I was tasked with managing the Return of Subpoena list each week, in addition to my other responsibilities. In my position, I developed a breadth of knowledge of the Federal Court's jurisdiction, practices and procedures by preparing case summaries for all matters where a referral certificate for pro bono counsel was issued, as well as detailed briefing notes on the weekly lists I managed. I compiled these case summaries and briefing notes by understanding the nature of each matter and researching a number of laws, rules and regulations, including the Federal Court Rules 2011 (Cth) and Federal Circuit Court (Bankruptcy) Rules 2016 (Cth). My hard work and ability to absorb information quickly was recognised once again, this time by Deputy Principal Judicial Registrar Pringle, when I was promoted to Senior Legal Case Manager (my current role). In this role, I am responsible for amending and drafting the Federal Court's policies and procedures which is circulated to judges for consideration and relied upon and used by practitioners alike. I was first tasked with amending a number of the practice notes from the various NPC Meeting Resolutions and, after emailing them to the Chief Justice, had all amendments approved. I have also researched the Federal Court's Procedure with respect to the Commercial and Corporations National Practice Area. This included interpreting and applying the Bankruptcy Act 1966 (Cth), Corporations Act 2001 (Cth) and their respective Rules to the National Practice Area. I have recommended changes to the practice note as a result of new reforms in insolvency law, and this is soon to be circulated to the Chief Justice and relevant National Practice Area Judges. This position demonstrates my capacity to acquire knowledge quickly and determination to further my understanding.

Highly developed analytical and conceptual skills and demonstrated achievements in developing and implementing improved and innovative services and processes.

My ability to implement improved services started in my University Tutor role when I would tutor Indigenous students through the University of New South Wales' Nura Gili Program. I was responsible for improving the grades of my students and to also help their transition from high school to university. To do this, I held weekly tuition sessions with each student individually and would work with them collaboratively to revise their class work, curriculum, and to research and analyse materials for their assessments. I distilled difficult legal and sociological concepts into relatable terms by applying the concepts to practical examples. This involved developing a rapport with each student and linking the concept to an event they had shared with me. My students improved their marks into the High Distinction range and I received consistently excellent feedback for my services. After my first semester tutoring I was then asked to tutor five students every week, which was more students than any other tutor had in the program. My ability to develop and improve services is being refined in my Senior Legal Case Manager role. I am in the process of drafting a new practice note with respect to Federal Court practice and procedure, the contents of which are confidential. In preparation for writing the new framework, I have been reading over all previous practice notes and researching and reading multi-jurisdictional materials using the Federal Court's library service. I am employing high level analysis and conceptual skills to develop the key themes in this practice area which will, upon completion, be sent to Chief Justice and relevant judges for consideration, with the ultimate aim to implement this practice note to help streamline legal practice in this area.

Demonstrated ability to critically evaluate information and demonstrate sound judgment in decision making.

In my role as Editor for UNSW's premier social justice publication, "Court of Conscience", I critically evaluated the articles that were submitted to ascertain their legal, political and grammatical accuracy for publication. I applied UNSW's strict editorial guidelines to determine what amendments were required, and my work was eventually published in the formal Court of Conscience Journal. For the first time ever, the National library of Australia requested copies. I excelled in this editorial role and was later selected as UNSW's Editor-in-Chief of Publications. I also critically-evaluated written submissions in this role but also held additional responsibilities, such as allocating work and making all decisions in relation to publication. To allocate work to the editors, I assessed the complexity and subject matter of each article alongside the editors' commitments which involved multiple workload analyses. In relation to publication decisions, I approached it thematically and used logic to group articles that covered similar subject matters. The work was then formally published in UNSW's Exchange Guide, Electives Guide and 'Lawkipedia' with positive feedback from peers.

Highly developed communication skills, including the ability to represent the Court externally and the ability to influence behaviour and attitudes.

I have represented the State of NSW for the past three years as a player and manager in one of the NSW Men's and Mixed Netball teams. In addition to representing NSW, I have represented the University of New South Wales at a number of international competitions, namely: the IBA VIAC Mediation and Negotiation Competition (in Vienna), the International Chamber of Commerce Mediation Competition (in Paris), and the NLIU INADR International Mediation Competition (in India). For these competitions I received professional dispute resolution training, predominantly in the areas of mediation and negotiation. Several times each week I visited mid-top tier firms across Sydney and would negotiate complex commercial contracts against legal practitioners. I employed strategic thinking to build rapport with the other side which, in turn, helped turn their minds to my client's legal and commercial claims, as well as facilitated the collaborative brainstorming of options. I created a network of mediators and legal practitioners and still stay in touch with some of them to this day. I learnt that you can influence behaviours and attitudes most effectively when collaborating (as opposed to combating) and satisfying the interests of the other side in the pursuit of your own goals. I applied these communication skills in my Legal Case Manager role when I represented the Court externally through liaison with practitioners and self-represented litigants. I arranged pro bono Counsel for all matters where a pro bono referral certificate was issued and was responsible for compiling all documents in briefs to be delivered to Chambers as a matter of urgency. I was also the first point of contact in these matters and would handle any queries immediately. Under my management, Counsel was secured for all pro bono referral certificates issued and, even though I am no longer a Legal Case Manager, I still receive calls from Chambers asking for my assistance with matters. I have developed the requisite tact, discretion and confidentiality in my communications, have demonstrated experience in communicating with judges, registrars, legal practitioners and self-represented litigants, and already represent the Court externally to know that I am capable for this role.

Legal qualifications and admission as a practitioner of the High Court or the Supreme Court of a State or Territory of Australia.

I graduated from the University of New South Wales in 2017 with a dual degree in a Bachelor of Arts / Bachelor of Laws. I am currently enrolled in the College of Law to complete my Practical Legal Training by 19 October 2018 (full-time), with the option to complete by 01 February 2019 (part-time).